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12
13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 UNITED STATES OF AMERICA,

16 Case No. 2:09-cr-0113-GMN-EJY-3

17 Plaintiff,

18 **Motion to Dismiss the Superseding
19 Indictment Without Prejudice and
20 Quash Warrant**

21 v.

22 JESUS GASTELUM,

23 Defendant.

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25 On April 14, 2009, JESUS GASTELUM was charged by complaint. ECF 1. On
26 April 30, 2009, a federal grand jury returned an superseding indictment charging
27 GASTELUM and others with Conspiracy to Distribute a Controlled Substance in violation
28 of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A)(viii), Conspiracy to Launder Money in
29 violation 18 U.S.C. § 1956(h) and related offenses. ECF 39. On October 13, 2009, a
30 warrant was issued as to Defendant GASTELUM and returned unexecuted on October
31 16,2009. ECF 548. To date, no appearance has been made by the defendant.

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1 Pursuant to Federal Rule of Criminal Procedure 48(a), the government hereby
2 moves for leave of Court to dismiss the Superseding Indictment without prejudice and
3 quash the arrest warrant.

4 Respectfully submitted this 21st day of June, 2021.

5 Respectfully submitted,

6 CHRISTOPHER CHIOU
7 Acting United States Attorney

8 /s/ Susan Cushman
9 SUSAN CUSHMAN
10 Assistant United States Attorney

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No. 2:09-cr-0113-GMN-EJY-3

Plaintiff,

V.

JESUS GASTELUM,

**Proposed Order Granting
Motion to Dismiss the Superseding
Indictment Without Prejudice and
Quash Warrant**

Defendant.

Pursuant to Federal Rule of Criminal Procedure 48(a), and upon leave of Court, the
1 States hereby dismisses without prejudice the Indictment and quashes the Arrest
ant against Defendant JESUS GASTELUM.

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Susan Cushman
SUSAN CUSHMAN
Assistant United States Attorney

Leave of Court is granted for the filing of the above dismissal.

DATED this 23 day of June, 2021.

Gloria M. Navarro, District Judge
United States District Court